**IN THE HIGH COURT OFR JUDICATURE FOR RAJASTHAN AT JAIPUR BENCH, JAIPUR.**

**S.B. CIVIL SECOND APPEAL NO.870/2007**

**4.12.2007.**

**HON'BLE MR. JUSTICE DALIP SINGH**

Shri M.M. Ranjan, for the applicant.

Heard learned counsel for the appellant. The court below as would be evident from the judgment of the learned lower appellate court more particularly on page 13 and 14 of the certified copy of the judgment have come to the conclusion that the property in dispute the joint family property and not self acquired property of Gokul Narain. These are findings of fact and on that account the plaintiff having failed to prove his case, cannot be interfered with in the second appeal under Section 100 C.P.C.

In that view of the matter there are concurrent finding of fact of both the courts below, no substantial question of law arises in this second appeal under Section 100 CPC and the same is dismissed summarily. The stay application is also dismissed.

**(DALIP SINGH),J.**

**Ramchandrkhatri,PS**